REMARKS

Claims 1 to 20 are pending in this application. Claim 15 was withdrawn. Claims 1-14 and 16 have been rejected. Claims 1, 5, 9, and 14 have been amended. Claims 17 to 24 are new. In view of foregoing amendments and following remarks, the applicants request allowance of the application.

Interview Summary

On July 20, 2009, Applicant's representative discussed the July 8, 2009 Office Communication with the Examiner. The Examiner and Applicant's representative agreed that the attached response discusses the patentably distinct features of claims 1 to 24 and overcomes the objection raise in the July 8, 2009 Office Communication. For example, the patentably distinct features of new claims 17 to 24 are discussed in pages 8 to 11 of this response.

Claim Rejections under 35 U.S.C. §103

Claims 1 to 8 and 16 are rejected as being unpatentable over *Ries*, in view of *Phillips*, further in view of *Rivera*, in view of *Giljum*, in view of *Ramachandran*. Claims 9-13 are rejected as being unpatentable over *Menninger*, in view of *Ries*, in view of *Phillips*, in view of *Rivera*, in view of *Giljum*, in view of *Ramachandran*. Claim 14 is rejected as being unpatentable over *Menninger*, in view of *Ries*, in view of *Phillips*, in view of *Rivera*, in view of *Giljum*, in view of *Ramachandran*, in view of *Bray*. Applicant requests withdrawal of the outstanding rejections because these references are not combinable in the manner suggested by the Examiner and do not teach or suggest all elements of the pending claims.

Modifying *Ries* and *Rivera* Changes the Principle of Operation and Renders the Art Unsatisfactory

Both *Ries* and *Rivera* disclose restricting access to certain objects and data by embedding security information in the object or data. This is contrary to the functionality of the claimed invention, which restricts access to form elements based rules in a lookup table separate from the objects, data, and form.

Consider, for example, elements of claim 1 relating to authorization rules, which recites:

the form elements *indicating authorization* for the user to develop the form element based on authorization rules *independent of data in the form* ...

authorization rules permitting the selection of form elements wherein the authorization rules include *settings that identify the subset of the form elements accessible to the user determined via a lookup table separate from the form*;

Also consider similar elements of claims 5, 9, 19, and 21, the elements of claim 9 which recite:

retrieving a permission list from a lookup table separate from the form using an identifier associated with the user, *the permission list identifying access rights for developing a plurality of form elements* contained in the form, the form elements including an element for global attributes of the electronic form including the layout of the electronic form;

and the elements of claim 21 which recite:

enabling access to the user for developing *a subset of the form elements through a lookup table* separate from the form where the lookup table contains the authorization rules associated with the user identification, the lookup table being configured to identify the subset of form elements *accessible to the user independent of data in the form and the form elements*.

As far as these claims are concerned, the above mentioned elements of claims 1, 5, 9, 19, and 21 refer to rules that allow a user to select specific form elements accessible to the user based on settings identifying form elements accessible to the user that are stored on a lookup table separate from the form. Neither the access control mechanisms in *Ries* nor *Rivera* can be modified to that of the claimed invention, because both of these references determine access to object by embedding access restriction elements within a document or form, and not in a lookup table separate of the form.

Rivera, for example, discloses populating a digital form with data retrieved from a database, as discussed in the Abstract and ¶ [7]. After populating the form, a user can then enter additional information into the form, which can then saved. Paragraph [59] of *Rivera* discusses how security controls can be implemented to ensure that only selected users may access specific data:

In order to control access to information stored in a computer (according to the rules of the mandatory security policy) it <u>*must*</u> *be possible to mark every object with a label* that reliably identifies the object's sensitivity level (e.g., classification), and/or the modes of access accorded those subjects who may potentially access the object.

Thus, *Rivera* explicitly requires that each object, or in this case, each form element, be marked with a label identifying the sensitivity and modes of access. Because of these requirements, *Rivera* can not be modified to identify the subset of the form elements accessible to the user that is determined via a lookup table separate from the form, as required by the claimed invention. *See* MPEP § 2143.01(VI) ("If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious."); MPEP § 2143.01(V).

Similarly, *Ries* also discloses regulating access to data by embedding a label, or 'hook.' *Ries* discloses a method for editing web pages and identifying editable portions of a web pages by requiring 'hooks' to be inserted in a web page, which may be achieved by adding HTML style comments within a web page, as discussed in ¶¶ [62]-[63]:

> In order for edit mode 222 to identify editable portions of a web page, ***editable portions*** of a web page **_must be identified_** by a web page author ***through the use of hooks*** and associated with a data source. [...]
> According to one embodiment of the invention, hook data may be embedded within HTML style comments provided as part of a web page. Generally, the syntax may be as follows: <!--VE:X:Y:Z-->. According to this embodiment, the hook is preceded by an HTML start comment delimiter ("<!--"). This is followed by a hook type ("X") and a hook identifier ("Y"). [...]

Once the 'hooks,' including a hook type, have been added to a web page, a web site administration can restrict access to the editing functionality by limiting access to data associated with hooks of a certain hook type, as discussed in ¶ [73]:

> The web site or similar administrator **_must also set security details to restrict access to the editing functionality_** of the present invention vis-a-vis the web site, step 314. According to one embodiment of the invention, user data, including usernames and passwords, is maintained in appropriate data stores; each user has all or none access based on the presence of their username and password in the data stores maintained by the edit brain. Alternatively, it is advantageous to maintain security data by creating access groups whereby each group allows varying levels of access to advanced editing functionality provided by the invention. In this manner, ***the administrator is capable of restricting access with extremely fine granularity, e.g., _allowing editing clients access to only certain hook types_*** that are enumerated in the security group to which the editing client belongs.

Thus, *Ries* explicitly requires that editable portions of a web page subject to further access controls <u>must</u> be identified through the use of hooks embedded in the web page. Once

the hooks have been embedded, access in *Ries* can be restricted based on the hook type in a hook associated with an element in a web page. Because *Ries* determines access through hook types embedded in the web page or form and not through a lookup table separate from the form, *Ries* does not disclose identifying form elements accessible to the user that are "***determined** via a lookup table separate from the form*," and/or "***independent of data in the form*** " as required by the claimed invention. Furthermore, because *Ries* requires editable portions of a webpage to be identified through hooks contained in the web page, *Ries* can not be modified to eliminate and bypass the hooks to identify form elements accessible to the user that are determined via a lookup table separate from the form, as required by the claimed invention. *See* MPEP § 2143.01(VI) ("If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious."); MPEP § 2143.01(V) ("If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification.").

For all these reasons, the suggested modification of both Ries and Rivera is improper and insufficient to render the claims obvious. Therefore, the rejections of claims 1, 5, 9, 19, and 21, should be withdrawn. Since claims 2 to 4, 16 to 18, and 23 depend on claim 1, claims 6 to 8 and 24 depend on claim 5, claims 10 to 14 depend on claim 9, claim 20 depends on claim 19, and claim 22 depends on claim 21, the rejection of these dependent claims should be withdrawn and/or the newly added claims should be allowed for the same reason.

Bray does not teach "giving authorization to all electronic form elements to the successive user that have not yet been edited"

Consider elements of claim 14, which recite:

giving authorization to all electronic form elements to a first user of the electronic form; and
for each successive user of the electronic form only giving authorization to those electronic form elements to the successive user ***that have not yet been edited***.

Also consider similar elements of claims 20, 22, 23, and 24.

On page 10 of the March 18, 2009 Office Action, the Examiner asserts that "*Bray* teaches giving for each successive user of the electronic form authorization to electronic form

elements that have not been edited." However, *Bray* is directed to locking elements in a data structure to allow multiple users to simultaneously edit unlocked portions of the data structure, as discussed in the Abstract, and not to giving access to unedited form elements to successive users of a form.

Locks in computing applications are typically used to preserve data integrity by preventing mutliple users from simultaneously changing the same data. Once a user is done saving a data change, the lock is typically released so that another user may later make further changes to the data. This is precisely the locking scheme disclosed in *Bray* at 4:55-5:3 and in Figure 3:

> Referring to FIG. 3, a typical sequence from a user's perspective illustrating the locking scheme follows. Suppose User #1 is viewing Requirement A and decides to add some more content. User #1 attempts to switch from the view mode to the edit mode on Requirement A. If no one else is editing or in some way modifying Requirement A, User #1 is switched to the edit mode. Meanwhile, User #2 is viewing Requirement A and decides to add some content as well. User #2 attempts to switch from the view mode to the edit mode. ***Since User #1 is already editing Requirement A, there is an existing lock that prevents User #2 from switching to the edit mode.*** User #2 is notified of this situation and prevented from editing that Requirement A at that time. ***Once User #1 has released the lock on Requirement A, User #2 may then edit Requirement A,*** unless User #1 actually deleted Requirement A.

Thus, *Bray* discloses placing a temporary lock on data while the data is being edited by one user; once the user is finished editing the data, the lock is removed so a second user has authorization to edit the data, even though the data has previously been edited by the first user. This is different from the claimed invention, which requires precisely the opposite, as recited in claim 14: "for each successive user of the electronic form giving authorization to all electronic form elements to the successive user ***that have not yet been edited***."

Therefore *Bray* does not disclose this element of claims 14, 20, 22, 23, and 24, and the rejection should be withdrawn and/or the newly added claims should be allowed.

Ramachandran is not Analagous Prior Art

As discussed in the Title, Abstract, ¶ [5] Background, and ¶ [6] Summary, Ramachandran is directed to processes for licensing software on a usage basis, also known as a 'pay as you go' software licensing, as recited in ¶ [5]. The Examiner asserts that "Ramachandran teaches authorization rules include settings that identify the accessibility to the user determined via lookup tables," and that it would have been obvious to combine the

teaching of Ramachandran with other cited art to block unauthorized accessibility. However, the claimed invention relates to restricting access to elements when constructing an electronic form, and it would not be obvious to consult a reference relating to 'pay as you go' software licensing processes.

In order to rely on a reference in an obviousness analysis, the reference must be analogous prior art. *See* MPEP § 2141.01(a)(I). "[A] reference in a field different from that of applicant's endeavor may be reasonably pertinent if it is one which, because of the matter with which it deals, logically would have commended itself to an inventor's attention in considering his or her invention as a whole." *See id. See also KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398 (2007). In this case, considering references in the field of "pay-as-you-go" software licensing would not have logically commended itself to an inventor's attention since "pay-as-you-go" software licensing processes are not logically related to the claimed invention.

Accordingly, the rejections of claims 1, 5, and 9, should be withdrawn. Since claims 2 to 4, 16, and 23 depend on claim 1, claims 6 to 8 and 24 depend on claim 5, and claims 10 to 14 depend on claim 9, the rejections of these dependent claims should be withdrawn and/or the newly added claims should be allowed for the same reason.

CONCLUSION

All outstanding rejections have been overcome. It is respectfully submitted that, in view of the foregoing amendments and remarks, the application is in clear condition for allowance. Issuance of a Notice of Allowance is solicited.

Although not believed necessary, the Office is hereby authorized to charge any fees required under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayments to Deposit Account No. 11-0600.

The Office is invited to contact the undersigned at 212-908-6451 to discuss any matter regarding this application.

Respectfully submitted,
KENYON & KENYON LLP

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